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The Honorable John C. Coughenour

SEP 28 2021

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARGARET AISLINN CHANNON,

Defendant.

No. CR20-129 JCC

PLEA AGREEMENT

The United States of America, by and through Tessa M. Gorman, Acting United States Attorney for the Western District of Washington, and Todd Greenberg, Assistant United States Attorney for said District, Defendant Margaret Aislinn Channon, and Defendant's attorney, Vanessa Pai-Thompson, enter into the following Agreement, pursuant to Federal Rule of Criminal Procedure 11(c).

1. **The Charge.** Defendant, having been advised of the right to have this matter tried before a jury, agrees to waive that right and enter a plea of guilty to the following charge contained in the Indictment: *Arson*, in violation of Title 18, United States Code, Sections 844(f)(1) and 844(i), as charged in Count 1.

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1 By entering the plea of guilty, Defendant hereby waives all objections to the form
2 of the charging document. Defendant further understands that before entering any guilty
3 plea, Defendant will be placed under oath. Any statement given by Defendant under oath
4 may be used by the United States in a prosecution for perjury or false statement.

5 2. **Elements of the Offense.** The elements of the offense to which Defendant
6 is pleading guilty are as follows:

7 First, Defendant used means of fire;

8 Second, Defendant maliciously damaged or destroyed, or attempted to damage or
9 destroy, a vehicle; and

10 Third, the vehicle was used in interstate or foreign commerce or an activity
11 affecting interstate or foreign commerce [§ 844(i)]; or was in whole or in part
12 owned or possessed by an institution or organization receiving Federal financial
13 assistance [§ 844(f)(1)].

14 3. **The Penalties.** Defendant understands that the statutory penalties
15 applicable to the offense to which Defendant is pleading guilty are as follows: A
16 maximum term of imprisonment of twenty (20) years; a mandatory minimum term of
17 imprisonment of five (5) years; a fine of up to \$250,000; a period of supervision
18 following release from prison of up to three years; and a mandatory special assessment of
19 \$100 dollars. If a probationary sentence is imposed, the probation period can be for up to
20 five years.

21 Defendant understands that supervised release is a period of time following
22 imprisonment during which Defendant will be subject to certain restrictive conditions and
23 requirements. Defendant further understands that, if supervised release is imposed and
24 Defendant violates one or more of the conditions or requirements, Defendant could be
25 returned to prison for all or part of the term of supervised release that was originally
26 imposed. This could result in Defendant serving a total term of imprisonment greater
27 than the statutory maximum stated above.
28

1 Defendant understands that as a part of any sentence, in addition to any term of
2 imprisonment and/or fine that is imposed, the Court may order Defendant to pay
3 restitution to any victim of the offense, as required by law.

4 Defendant further understands that the consequences of pleading guilty may
5 include the forfeiture of certain property, either as a part of the sentence imposed by the
6 Court, or as a result of civil judicial or administrative process.

7 Defendant agrees that any monetary penalty the Court imposes, including the
8 special assessment, fine, costs, or restitution, is due and payable immediately and further
9 agrees to submit a completed Financial Statement of Debtor form as requested by the
10 United States Attorney's Office.

11 **4. Rights Waived by Pleading Guilty.** Defendant understands that by
12 pleading guilty, Defendant knowingly and voluntarily waives the following rights:

- 13 a. The right to plead not guilty and to persist in a plea of not guilty;
 - 14 b. The right to a speedy and public trial before a jury of Defendant's
15 peers;
 - 16 c. The right to the effective assistance of counsel at trial, including, if
17 Defendant could not afford an attorney, the right to have the Court appoint one for
18 Defendant;
 - 19 d. The right to be presumed innocent until guilt has been established
20 beyond a reasonable doubt at trial;
 - 21 e. The right to confront and cross-examine witnesses against Defendant
22 at trial;
 - 23 f. The right to compel or subpoena witnesses to appear on Defendant's
24 behalf at trial;
 - 25 g. The right to testify or to remain silent at trial, at which trial such
26 silence could not be used against Defendant; and
 - 27 h. The right to appeal a finding of guilt or any pretrial rulings.
- 28

1 **5. United States Sentencing Guidelines.** Defendant understands and
 2 acknowledges that the Court must consider the sentencing range calculated under the
 3 United States Sentencing Guidelines and possible departures under the Sentencing
 4 Guidelines together with the other factors set forth in Title 18, United States Code,
 5 Section 3553(a), including: (1) the nature and circumstances of the offenses; (2) the
 6 history and characteristics of Defendant; (3) the need for the sentence to reflect the
 7 seriousness of the offenses, to promote respect for the law, and to provide just
 8 punishment for the offenses; (4) the need for the sentence to afford adequate deterrence to
 9 criminal conduct; (5) the need for the sentence to protect the public from further crimes
 10 of Defendant; (6) the need to provide Defendant with educational and vocational training,
 11 medical care, or other correctional treatment in the most effective manner; (7) the kinds
 12 of sentences available; (8) the need to provide restitution to victims; and (9) the need to
 13 avoid unwarranted sentence disparity among defendants involved in similar conduct who
 14 have similar records. Accordingly, Defendant understands and acknowledges that:

15 a. The Court will determine Defendant's Sentencing Guidelines range
 16 at the time of sentencing;

17 b. After consideration of the Sentencing Guidelines and the factors in
 18 18 U.S.C. 3553(a), the Court may impose any sentence authorized by law, up to
 19 the maximum term authorized by law;

20 c. The Court is not bound by any recommendation regarding the
 21 sentence to be imposed, or by any calculation or estimation of the Sentencing
 22 Guidelines range offered by the parties or the United States Probation Department,
 23 or by any stipulations or agreements between the parties in this Plea Agreement;
 24 and

25 d. Defendant may not withdraw a guilty plea solely because of the
 26 sentence imposed by the Court.

27 **6. Ultimate Sentence.** Defendant acknowledges that no one has promised or
 28 guaranteed what sentence the Court will impose.

1 7. **Statement of Facts.** The parties agree on the following facts. Defendant
2 admits Defendant is guilty of the charged offense:

3 On May 30, 2020, there was a large protest in downtown Seattle,
4 Washington. SPD officers were in the area to direct traffic and ensure the
5 safety of people and property. The SPD officers used several vehicles to
6 respond to the protest, including Vehicles 1-5. These SPD vehicles were to
7 be used for a variety of purposes during the protest, including to transport
8 police officers and law enforcement equipment; to document acts of
9 violence and property destruction using video equipment installed in some
10 of the vehicles; and to download surveillance video documenting acts of
11 violence and property destruction provided by local businesses and
12 residences in support of SPD criminal investigations.

13 During the protest, SPD officers parked Vehicles 1-5 at various locations
14 on the block formed by 6th Avenue, 5th Avenue, Pine Street, and Olive
15 Way. The officers then began patrolling the area on foot during the protest.

16 Margaret Channon was present at the protest in downtown Seattle.
17 Channon was wearing several distinctive items of clothing, including: a
18 striped scarf; mismatched green and pink patterned socks; black shoes with
19 a brown sole and distinctive gold eyelets; and a black t-shirt with a
20 distinctive grey pattern on the front. Channon also had distinctive tattoos
21 on her right shoulder, left elbow, and left bicep that were occasionally
22 visible.

23 At approximately 4:06 p.m., Vehicle 5 was damaged by acts of vandalism
24 conducted by several unknown suspects (not Channon). These unknown
25 suspects broke Vehicle 5's windows and doors and caused a small fire on
26 the ground underneath the front passenger door. Channon then approached
27 Vehicle 5 and threw an item of black clothing into the fire under the car.
28 Moments later, Channon held a spray can up to a lighter and lit the exhaust.
29 Channon sprayed flames into the rear hatch of Vehicle 5 for several
30 seconds. Channon then re-ignited the can's exhaust. She leaned into the
31 open rear door of the vehicle and sprayed flames into the back seat. She
32 then left the area of Vehicle 5. As she left, the vehicle was smoking
33 heavily and flames were burning inside the vehicle. Moments later, flames
34 filled the passenger compartment and rose well above the roof of the
35 vehicle. The fire progressed until Vehicle 5 was fully engulfed in flames.

36 After leaving Vehicle 5, Channon went to the Old Navy store across Pine
37 Street. The storefront windows had been broken and Channon entered Old

1 Navy through the smashed storefront. She knocked over racks and tables
2 of cloths and then threw large quantities of clothing out on the sidewalk.
3 She left the store a few moments later, taking with her a light colored,
4 striped long sleeve shirt that she tied around her waist.

5 Channon next approached the passenger side of Vehicle 3 and began
6 striking it with an object she held in her right hand. Channon stood at the
7 smashed passenger window and sprayed flaming exhaust from a can into
8 Vehicle 3. Smoke immediately started rising from the vehicle. Channon
9 then ran away from Vehicle 3 towards Vehicle 4 with the flaming can in
10 her hand. Channon next sprayed flames into the front passenger window of
11 Vehicle 4 and smoke began to emanate from Vehicle 4. Channon then ran
12 back towards Vehicle 3. Channon stood next to Vehicle 3 and sprayed
13 flaming exhaust from a can into the passenger window of Vehicle 3.
14 Additional smoke began rising from Vehicle 3.

15 Channon next approached the driver's window of Vehicle 1 and ignited the
16 exhaust from an aerosol can, causing it to spew flames. She then held the
17 flaming can inside the vehicle, first aiming the flames towards the driver's
18 seat and then towards the interior roof of the vehicle. After several
19 seconds, the flame went out. Channon brought the can back towards her
20 body and reignited it. She then aimed the flame at the driver's seat for
21 approximately 13 seconds until the flame went out again. Channon lit the
22 exhaust from the can again and, for several seconds, aimed it at the seat and
23 then the roof. Large flames began to emanate from Vehicle 1. The flames
24 inside Vehicle 1 ultimately expanded and spread to the adjacent Vehicle 2.

25 The fires in the five SPD vehicles continued to burn until each of the cars
26 were fully engulfed in flames. Flames from the vehicles extended above
27 the vehicles and at times flared high enough to touch the roof/awning of the
28 Nordstrom store in front of which some of the vehicles were parked. The
SPD vehicles were destroyed by fire and rendered inoperable, with little
remaining besides the metal frames of the vehicles.

Channon committed other acts of property destruction during this same
time period. For example, Channon smashed the windows of a Verizon
with an object she was holding in her right hand. She later entered a Jimmy
Johns store and damaged electronic items inside the store, including
smashing the cash register on the ground and throwing other heavy
electronic items throughout the store.

1 Channon was arrested by federal agents on June 10, 2020. During a search
2 of Channon's bedroom, agents found many of the distinctive articles of
3 clothing worn by Channon during the arsons, including the striped scarf,
4 mismatched socks, black/brown shoes, and the patterned black t-shirt.
5 Agents also recovered from the desk in Channon's bedroom a hand-written
6 drawing of the Fremont Troll throwing a police car into a fire, while a rat
7 roasted a marshmallow over the flame. This drawing was dated
8 February 29, 2020, and had "Margaret" written directly over the troll.

9 The Seattle Police Department is involved in interstate and foreign
10 commerce and in activities affecting interstate and foreign commerce, and
11 is also an institution and organization that receives Federal financial
12 assistance.

13 The parties agree that the Court may consider additional facts contained in
14 the Presentence Report (subject to standard objections by the parties) and/or
15 that may be presented by the United States or Defendant at the time of
16 sentencing, and that the factual statement contained herein is not intended
17 to limit the facts that the parties may present to the Court at the time of
18 sentencing.

19 8. **Sentencing Factors.** The parties agree that the following Sentencing
20 Guidelines provisions apply to this case:

21 A base offense level of 24, pursuant to USSG § 2K1.4(a)(1).

22 The parties agree they are free to present arguments regarding the applicability of
23 all other provisions of the United States Sentencing Guidelines. Defendant understands,
24 however, that at the time of sentencing, the Court is free to reject these stipulated
25 adjustments, and is further free to apply additional downward or upward adjustments in
26 determining Defendant's Sentencing Guidelines range.

27 9. **Acceptance of Responsibility.** At sentencing, *if* the Court concludes
28 Defendant qualifies for a downward adjustment acceptance for acceptance of
responsibility pursuant to USSG § 3E1.1(a) and Defendant's offense level is 16 or
greater, the United States will make the motion necessary to permit the Court to decrease
the total offense level by three (3) levels pursuant to USSG §§ 3E1.1(a) and (b), because
Defendant has assisted the United States by timely notifying the United States of

1 Defendant's intention to plead guilty, thereby permitting the United States to avoid
2 preparing for trial and permitting the Court to allocate its resources efficiently.

3 10. **Recommendation Regarding Imprisonment.** The government and
4 Defendant agree to recommend a sentence of 60 months of imprisonment. Defendant
5 understands that these recommendations are not binding on the Court and the Court may
6 reject the recommendations of the parties and may impose any term of imprisonment up
7 to the statutory maximum penalty authorized by law. Defendant further understands that
8 Defendant cannot withdraw the guilty plea simply because of the sentence imposed by
9 the Court. Except as otherwise provided in this Plea Agreement, the parties are free to
10 present arguments regarding any other aspect of sentencing.

11 11. **Restitution.** Defendant agrees that the Court can order Defendant to pay
12 restitution to the Seattle Police Department, the victim of Defendant's crimes. Defendant
13 is aware that the United States will present evidence supporting an order of restitution for
14 all losses caused by all of Defendant's criminal conduct known to the United States at the
15 time of Defendant's guilty plea. In exchange for the promises by the United States
16 contained in this plea agreement, Defendant agrees that Defendant will be responsible for
17 any order by the District Court requiring the payment of restitution for such losses.

18 a. The full amount of restitution shall be due and payable immediately
19 on entry of judgment and shall be paid as quickly as possible. If the Court finds
20 that the defendant is unable to make immediate restitution in full and sets a
21 payment schedule as contemplated in 18 U.S.C. § 3664(f), Defendant agrees that
22 the Court's schedule represents a minimum payment obligation and does not
23 preclude the U.S. Attorney's Office from pursuing any other means by which to
24 satisfy the defendant's full and immediately-enforceable financial obligation,
25 including, but not limited to, by pursuing assets that come to light only after the
26 district court finds that the defendant is unable to make immediate restitution.

27 b. Defendant agrees to disclose all assets in which Defendant has any
28 interest or over which Defendant exercises control, directly or indirectly, including

1 those held by a spouse, nominee, or third party. Defendant agrees to cooperate
2 fully with the United States' investigation identifying all property in which
3 Defendant has an interest and with the United States' lawful efforts to enforce
4 prompt payment of the financial obligations to be imposed in connection with this
5 prosecution. Defendant's cooperation obligations are: (1) before sentencing, and
6 no more than 30 days after executing this Plea Agreement, truthfully and
7 completely executing a Financial Disclosure Statement provided by the United
8 States Attorney's Office and signed under penalty of perjury regarding
9 Defendant's and Defendant's spouse's financial circumstances and producing
10 supporting documentation, including tax returns, as requested; (2) providing
11 updates with any material changes in circumstances, as described in 18 U.S.C.
12 § 3664(k), within seven days of the event giving rise to the changed
13 circumstances; (3) authorizing the United States Attorney's Office to obtain
14 Defendant's credit report before sentencing; (4) providing waivers, consents or
15 releases requested by the U.S. Attorney's Office to access records to verify the
16 financial information; (5) authorizing the U.S. Attorney's Office to inspect and
17 copy all financial documents and information held by the U.S. Probation Office;
18 (6) submitting to an interview regarding Defendant's Financial Statement and
19 supporting documents before sentencing (if requested by the United States
20 Attorney's Office), and fully and truthfully answering questions during such
21 interview; and (7) notifying the United States Attorney's Office before transferring
22 any interest in property owned directly or indirectly by Defendant, including any
23 interest held or owned in any other name, including all forms of business entities
24 and trusts.

25 c. The parties acknowledge that voluntary payment of restitution prior
26 to the adjudication of guilt is a factor the Court considers in determining whether
27 Defendant qualifies for acceptance of responsibility pursuant to USSG § 3E1.1(a).
28

1 12. **Abandonment of Contraband.** Defendant also agrees that, if any federal
2 law enforcement agency seized any illegal contraband that was in Defendant's direct or
3 indirect control, Defendant consents to the federal administrative disposition, official use,
4 and/or destruction of that contraband.

5 13. **Non-Prosecution of Additional Offenses.** As part of this Plea Agreement,
6 the United States Attorney's Office for the Western District of Washington agrees to
7 dismiss the remaining charges brought in the Indictment filed in this matter and not to
8 prosecute Defendant for any additional offenses known to it as of the time of this Plea
9 Agreement based upon evidence in its possession at this time, and that arise out of the
10 conduct giving rise to this investigation. In this regard, Defendant recognizes the United
11 States has agreed not to prosecute all of the criminal charges the evidence establishes
12 were committed by Defendant solely because of the promises made by Defendant in this
13 Agreement. Defendant agrees, however, that for purposes of preparing the Presentence
14 Report, the United States Attorney's Office will provide the United States Probation
15 Office with evidence of all conduct committed by Defendant. Defendant agrees that any
16 charges to be dismissed before or at the time of sentencing were substantially justified in
17 light of the evidence available to the United States, were not vexatious, frivolous or taken
18 in bad faith, and do not provide Defendant with a basis for any future claims under the
19 "Hyde Amendment," Pub. L. No. 105-119 (1997).

20 14. **Breach, Waiver, and Post-Plea Conduct.** Defendant agrees that, if
21 Defendant breaches this Plea Agreement, the United States may withdraw from this Plea
22 Agreement and Defendant may be prosecuted for all offenses for which the United States
23 has evidence. Defendant agrees not to oppose any steps taken by the United States to
24 nullify this Plea Agreement, including the filing of a motion to withdraw from the Plea
25 Agreement. Defendant also agrees that, if Defendant is in breach of this Plea Agreement,
26 Defendant has waived any objection to the re-institution of any charges that previously
27 were dismissed or any additional charges that had not been prosecuted.
28

1 Defendant further understands that if, after the date of this Agreement, Defendant
2 should engage in illegal conduct, or conduct that violates any conditions of release or the
3 conditions of confinement (examples of which include, but are not limited to, obstruction
4 of justice, failure to appear for a court proceeding, criminal conduct while pending
5 sentencing, and false statements to law enforcement agents, the Pretrial Services Officer,
6 Probation Officer, or Court), the United States is free under this Plea Agreement to file
7 additional charges against Defendant or to seek a sentence that takes such conduct into
8 consideration by requesting the Court to apply additional adjustments or enhancements in
9 its Sentencing Guidelines calculations in order to increase the applicable advisory
10 Guidelines range, and/or by seeking an upward departure or variance from the calculated
11 advisory Guidelines range. Under these circumstances, the United States is free to seek
12 such adjustments, enhancements, departures, and/or variances even if otherwise
13 precluded by the terms of the Plea Agreement.

14 **15. Waiver of Appellate Rights and Rights to Collateral Attacks.** Defendant
15 acknowledges that, by entering the guilty pleas required by this plea agreement,
16 Defendant waives all rights to appeal from Defendant's conviction, and any pretrial
17 rulings of the Court, and any rulings of the Court made prior to entry of the judgment of
18 conviction. Defendant further agrees that, provided the Court imposes a custodial
19 sentence that is within or below the Sentencing Guidelines range (or the statutory
20 mandatory minimum, if greater than the Guidelines range) as determined by the Court at
21 the time of sentencing, Defendant waives to the full extent of the law:

22 a. Any right conferred by Title 18, United States Code, Section 3742,
23 to challenge, on direct appeal, the sentence imposed by the Court, including any
24 fine, restitution order, probation or supervised release conditions, or forfeiture
25 order (if applicable); and

26 b. Any right to bring a collateral attack against the conviction and
27 sentence, including any restitution order imposed, except as it may relate to the
28 effectiveness of legal representation.

1 This waiver does not preclude Defendant from bringing an appropriate motion
2 pursuant to 28 U.S.C. § 2241, to address the conditions of Defendant's confinement or
3 the decisions of the Bureau of Prisons regarding the execution of Defendant's sentence.

4 If Defendant breaches this Plea Agreement at any time by appealing or collaterally
5 attacking (except as to effectiveness of legal representation) the conviction or sentence in
6 any way, the United States may prosecute Defendant for any counts, including those with
7 mandatory minimum sentences, that were dismissed or not charged pursuant to this Plea
8 Agreement.

9 **16. Voluntariness of Plea.** Defendant agrees that Defendant has entered into
10 this Plea Agreement freely and voluntarily, and that no threats or promises were made to
11 induce Defendant to enter a plea of guilty other than the promises contained in this Plea
12 Agreement or set forth on the record at the change of plea hearing in this matter.

13 **17. Statute of Limitations.** In the event this Plea Agreement is not accepted by
14 the Court for any reason, or Defendant breaches any of the terms of this Plea Agreement,
15 the statute of limitations shall be deemed to have been tolled from the date of the Plea
16 Agreement to: (1) thirty days following the date of non-acceptance of the Plea
17 Agreement by the Court; or (2) thirty days following the date on which a breach of the
18 Plea Agreement by Defendant is discovered by the United States Attorney's Office.

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18. **Completeness of Agreement.** The United States and Defendant acknowledge that these terms constitute the entire Plea Agreement between the parties, except as may be set forth on the record at the change of plea hearing in this matter. This Agreement binds only the United States Attorney's Office for the Western District of Washington. It does not bind any other United States Attorney's Office or any other office or agency of the United States, or any state or local prosecutor.

Dated this 28 day of September, 2021.

MARGARET AISLINN CHANNON
Defendant

VANESSA PAI-THOMPSON
Attorney for Defendant

TODD GREENBERG
Assistant United States Attorney